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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAR 13 2003

Applicant(s): Rabbani et al.)
Serial No.: 08/978,634) Group Art Unit: 1635
Filed: November 25, 1997) Examiner: Mary M. Schmidt
For: MULTIMERIC COMPLEX COMPOSITIONS)
AND DELIVERY PROCESSES USING)
SAME)

527 Madison Avenue, 9th Floor
New York, NY 10022-4304
March 7, 2003

FILED BY EXPRESS MAIL

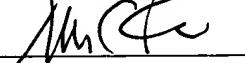
Commissioner for Patents
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§1.56 & 1.97-1.98**

Dear Sirs:

Pursuant to the provisions of 37 C.F.R. §§1.97-1.98, and in full compliance with their duty of disclosure under 37 C.F.R. §1.56, Applicants, through their attorney, are bringing the following eighty-one (81) documents to the attention of the U.S. Patent and Trademark Office and the Examiner handling their above-identified application:

Elazar Rabbani et al.
Serial No. 08/978,634
Filed: November 25, 1997
Page 2 (Information Disclosure Statement Under 37 C.F.R. §§1.56 & I.97-I.98
– March 7, 2003)

EXPRESS MAIL CERTIFICATE	
"Express Mail" Label No. <u>EL64788447US</u>	
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I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231.	
	<u>MAR 7 2003</u>
Ronald C. Fedus	Date
Reg. No. 32,567	



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Elazar Rabbani et al.

Serial No. 08/978,634

Group Art Unit: 1635

Filed: November 25, 1997

Examiner: Mary M. Schmidt

Title: MULTIMERIC COMPLEX COMPOSITIONS
AND DELIVERY PROCESSES USING
SAME

RECEIVED

MAR 13 2003

TRANSMITTAL
INFORMATION DISCLOSURE STATEMENT

COMMISSIONER FOR PATENTS
Washington, D.C. 20231

TECH CENTER 1600/2900

Sir:

Transmitted herewith is an Information Disclosure Statement which is being filed in accordance with 37 C.F.R. §§ 1.56 and 1.97-1.98. The items listed on Form PTO-1449, a copy of which is enclosed, may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

1. [] For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:

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Ronald C. Fedus Reg. No. 32,567	Date MAR 7 2003

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2. [] For each of the following items listed on the enclosed copy of form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.

3. [] Any copy of the items on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in the prior [] Divisional or [] Continuation-In-Part application under 37 C.F.R. §1.60, U.S. Serial No. _____, filed _____.

4. [] No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:

[] 37 C.F.R. ?1.97(b)(1), within three months of the filing date of the above-identified application.

[] 37 C.F.R. ?1.97(b)(2), within three months of the date of entry into the national stage as set forth in ?1.491 in an international application.

[] 37 C.F.R. ?1.97(b)(3), before the mailing date of a first Office action on the merits.

5. [] No fee is due under 37 C.F.R. ?1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. ?1.97(e) set forth in paragraph 9 below.

6. [x] A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):

[] A check in the amount of \$240.00 is enclosed in payment of the fee.

[x] Charge the fee to Deposit Account No. 05-1135, Order No. ENZ-53(D2). A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

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7. [] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:

- a. one of the certification pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
- b. the attached petition requesting consideration of this Information Disclosure Statement; and
- c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.

8. [] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:

- a. [] 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue;
- b. [] 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue.
- c. [] The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 10 below.

9. [] I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

[] I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in ?1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

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10. [] A check in the amount of \$130.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(i)(1).

[X] Charge the fee under 37 C.F.R. §1.17(i)(1) to Deposit Account No. 05-1135. Order No. ENZ-53(D2). A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

[x] The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 05-1135. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

Dated: March 7, 2003

By:

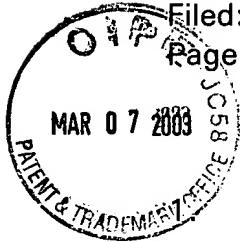

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– March 7, 2003)



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Elazar Rabbani et al.
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Page 4 (Information Disclosure Statement Under 37 C.F.R. §§1.56 & I.97-I.98
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Page 6 (Information Disclosure Statement Under 37 C.F.R. §§1.56 & 1.97-1.98
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61. Chu F.K. et al., "In Vitro Expression of the Intron-containing Gene for T4 Phage Thymidylate Synthase," The Journal of Biological Chemistry 260(19):10680-10688 (1985) [Exhibit 61]
62. Muzyczka, N., "Use of Adeno-Associated Virus as a General Transduction Vector for Mammalian Cells," Current Topics in Microbiology and Immunology 158:97-129 (1992)] [Exhibit 62]
63. Rafestin, M.E. et al., "Purification of N-Acetyl D-Glucosamine-Binding Proteins By Affinity Chromatography," FEBS Letters 40(1):62-66 (1974) [Exhibit 63]
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73. Joshi, S. et al., "Inhibition of Human Immunodeficiency Virus Type 1 Multiplication by Antisense and Sense RNA Expression," Journal of Virology 65(10):5524-5530 (1991) [Exhibit 73]
74. Sczakiel, G. et al., "Specific inhibition of immunodeficiency virus type 1 replication by RNA transcribed in sense and antisense orientation from the 5'-leader/gag region," Biochemical and Biophysical Research Communication 169(2):643-651 (1990) [Exhibit 74]
75. Dunn, J.J. and Studier, F.W., "Complete Nucleotide Sequence of Bacteriophage T7 DNA and the Locations of T7 Genetic Elements," J. Mol. Biol. 166:477-535 (1983) [Exhibit 75]
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81. Soeiro, R. and Darnell, J.E., "Competition Hybridization by "Pre-saturation" of HeLa Cell DNA," J. Mol Biol 44:551-562 (1969) [Exhibit 81]

The above eighty-one documents [Exhibits 1-81] were cited in the instant specification.

A completed Form PTO-1449 listing the eighty-one above-submitted documents is also attached hereto as Exhibit A.

By this voluntary citation of art, Applicants and their attorney are requesting that the documents be made of record in the present application.

The above citation of documents is not a representation that these documents constitute a complete or exhaustive listing, nor that the above listing necessarily includes the closest or most relevant documents, nor are these documents necessarily a complete listing of all documents known to Applicants or their attorney. It is simply a voluntary citation of documents made in good faith, which is not intended to serve in any way as a substitute for the Examiner's own search.

In view of the general and specific features described and claimed in the present application, Applicants respectfully submit that the present invention is neither disclosed nor suggested by the documents referred to above and is thus patentably distinct thereover. Furthermore, Applicants do not believe, and do not submit, by the citation of these references, that these documents, either by themselves or in combination with other documents, render the invention *prima facie* obvious under the duty of disclosure rules.

Applicants respectfully request that the Examiner make the above-submitted documents of record in the instant application. Applicants further request that the

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Examiner consider these documents as any of them may relate to the instant application.

The fee under 37 C.F.R. §1.17(p) for filing this Information Disclosure Statement is \$180.00. The Patent and Trademark Office is hereby authorized to charge the amount of this fee (and any other fees in connection with this IDS) to Deposit Account No. 05-1135, or to credit any overpayment thereto.

Respectfully submitted,



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Registration No. 32,567
Attorney for Applicants

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* No document or publication is being submitted for this Exhibit due to technical difficulties.